

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

IN THE MATTER OF
MICHAEL DALE STACEY
LICENSE NO. 116882

A.I.D. NO. 2009- 070

CONSENT REVOCATION ORDER

On this day, Jay Bradford, Arkansas Insurance Commissioner ("Commissioner") and Michael Dale Stacey ("Respondent") agree to enter into this Consent Revocation Order for the reasons stated below. Respondent neither admits nor denies the Findings of Fact and Conclusions of Law set forth below. From the facts and law before the Commissioner, he finds:

FINDINGS OF FACT

1. The Commissioner has jurisdiction over the parties and subject matter pursuant to Ark. Code Ann. §23-61-103 and the authority to issue summary license suspensions and/or order payment of penalties under Ark. Code Ann. §§ 23-60-108, 23-64-216(e), 23-64-512(a), and 23-66-408.

2. Respondent holds a license as a non-resident life, accident, health and sickness insurance producer and holds Arkansas non-resident producer license #116882. Respondent's address is 9902 N 118th E Avenue, Owasso, OK 74055. Respondent holds appointments with Alliaz Life Insurance Company, American National Insurance Company, Assurity Life Insurance Company, Baltimore Life Insurance Company, Government Personnel Mutual Life Insurance Company, National States Insurance Company, North American Company for Life and Health Insurance, Oxford Life Insurance Company, Pioneer American Insurance Company, and Unity Financial Life Insurance Company.

3. On February 24, 2009, United Heritage Life Insurance Company ("United Heritage") reported to the Department that Respondent was replacing policies in which Respondent was the originating producer that had been originally issued through United Heritage with other life policies without completing the proper replacement form.

4. Upon investigation, it was determined that Respondent had replaced twenty-one United Heritage policies with other life policies without completing a replacement form as required by the Arkansas Insurance Code.

VIOLATIONS

Respondent is in violation of:

5. Ark. Code Ann. §23-64-216(a) (1) which provides that a license may be suspended or revoked for violation of any of the causes listed in Ark. Code Ann. § 23-64-512;

6. Ark. Code Ann. § 23-64-512(a)(2) which provides that a license may be suspended or revoked for violating any insurance laws, or violating any regulation, subpoena or order of the commissioner or of another state's insurance commissioner;

7. Ark. Code Ann. § 23-64-512(a)(8) which provides that a license may be suspended or revoked for demonstrating incompetence or lack of good business reputation or financial irresponsibility;

8. Ark. Code Ann. § 23-64-512(a)(7) which provides that a license may be suspended or revoked for having been found to have committed any insurance unfair trade practice or fraud;

9. Ark. Code Ann. § 23-66-307(b) which provides that a producer must provide a written memorandum for each replacement comparing the existing policy and the replacing policy;

10. Ark Code Ann. § 23-66-206 (2) which provides it is an unfair trade practice to churn business by replacing a life insurance policy with another without following the provisions of Ark. Code Ann. § 23-66-307 and showing a betterment of position for the insured; and

11. Ark. Code Ann. § 23-64-506(e) (1) & (2), which provide that a resident applicant or producer must be deemed by the commissioner to be competent, trustworthy, financially responsible, and of good business reputation, and that such qualifications must continue for an individual to remain licensed.

CONCLUSIONS OF LAW

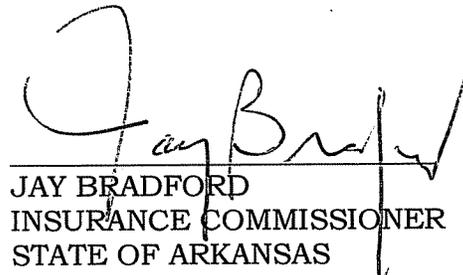
12. Based on the allegations contained herein, Respondent is in violation of Ark. Code Ann. § 23-64-216, § 23-64-512, § 23-66-307, § 23-66-206, and § 23-64-506.

13. Considering the Commissioner's Conclusions of Law, Respondent voluntarily surrenders his insurance license for revocation by the Department.

THEREFORE, it is hereby ORDERED AND AGREED that: All licenses issued by the Department to Michael Dale Stacey are revoked.

IT IS SO ORDERED THIS 10th day of September, 2009.


MICHAEL DALE STACEY


JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS